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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/822,054	04/08/2004	Richard Montgomery	42P15278

CONFIRMATION NO. 2097

FORMALITIES LETTER



OC000000013023284

08791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

Date Mailed: 06/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

09/03/2004 HALI11 00000086 10822054

130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

John Ware

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RICHARD MONTGOMERY, ET AL.

Application No.: 10/822,054

Filed: April 8, 2004

For: **COLD PLATE**

Art Group:

Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts mailed June 23, 2004, please find enclosed:

- a duly executed Declaration and Power of Attorney with payment in the amount of \$130.00 for the surcharge of 37 CFR § 1.16(e);
- a Petition for Extension of Time and payment in the amount of \$110.00;
- and
- copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

09/03/2004 MAIL 111 00000086 10822054
02 FEB 1251 +110.00 OP

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Gregory D. Caldwell, Reg. No. 39,926

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Rachael Brown

08/30/04
Date

Date: August 30, 2004
12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (503) 439-8778



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	10/822,054
		Filing Date	April 8, 2004
		First Named Inventor	Richard Montgomery
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	13	Attorney Docket Number	42P15278

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	-Return Postcard -Copy of Notice to File Missing Parts -Check in the amt of \$240
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Basic Filing Fee		
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gregory D. Caldwell, Reg. No. 39,926 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	August 30, 2004

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Rachael Brown
Signature	
Date	August 30, 2004

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 06/04/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



FEES TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 240.00

Complete if Known

Application Number	10/822,054
Filing Date	April 8, 2004
First Named Inventor	Richard Montgomery
Examiner Name	
Art Unit	
Attorney Docket No.	42P15278

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$)		

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	20**	= <input type="text"/> X <input type="text"/> = <input type="text"/>	
Multiple Dependent	3	= <input type="text"/> X <input type="text"/> = <input type="text"/>	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple Dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		

**or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			
	1051	130		2051	65	Surcharge - late filing fee or oath	130.00			
	1052	50		2052	25	Surcharge - late provisional filing fee or cover sheet				
	2053	130		2053	130	Non-English specification				
	1812	2,520		1812	2,520	For filing a request for <i>ex parte</i> reexamination				
	1804	920*		1804	920*	Requesting publication of SIR prior to Examiner action				
	1805	1,840*		1805	1,840*	Requesting publication of SIR after Examiner action				
	1251	110		2251	55	Extension for reply within first month	110.00			
	1252	420		2252	210	Extension for reply within second month				
	1253	950		2253	475	Extension for reply within third month				
	1254	1,480		2254	.740	Extension for reply within fourth month				
	1255	2,010		2255	1,005	Extension for reply within fifth month				
	1404	330		2401	165	Notice of Appeal				
	1402	330		2402	165	Filing a brief in support of an appeal				
	1403	290		2403	145	Request for oral hearing				
	1451	1,510		2451	1,510	Petition to institute a public use proceeding				
	1452	110		2452	55	Petition to revive - unavoidable				
	1453	1,330		2453	665	Petition to revive - unintentional				
	1501	1,330		2501	665	Utility issue fee (or reissue)				
	1502	480		2502	240	Design issue fee				
	1503	640		2503	320	Plant issue fee				
	1460	130		2460	130	Petitions to the Commissioner				
	1807	50		1807	50	Processing fee under 37 CFR 1.17(q)				
	1806	180		1806	180	Submission of Information Disclosure Stmt				
	8021	40		8021	40	Recording each patent assignment per property (times number of properties)				
	1809	770		1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))				
	1810	770		2810	385	For each additional invention to be examined (37 CFR § 1.129(b))				
	1801	770		2801	385	Request for Continued Examination (RCE)				
	1802	900		1802	900	Request for expedited examination of a design application				
Other fee (specify)										
* Reduced by Basic Filing Fee Paid						SUBTOTAL (3)	(\$)			
							240.00			

SUBMITTED BY

Name (Print/Type)	Gregory D. Caldwell	Registration No. (Attorney/Agent)	39,926	Telephone	(503) 439-8778
Signature				Date	08/30/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wid 02/10/2004).
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450